



MAILED

AUG 28 2003

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

WASHINGTON, DC 20231

[www.uspto.gov](http://www.uspto.gov)

KAGAN BINDER, PLLC,  
SUITE 200, MAPLE ISLAND BUILDING  
221 MAIN STREET NORTH  
STILLWATER, MN 55082

Paper No: 31  
Appeal No: 2003-2009  
Appellant: EVANS, JAMES R.  
Application: 09/241,508

## Board of Patent Appeals and Interferences Docketing Notice

Application 09/241,508 was received from the Technology Center at the Board on July 24, 2003 and has been assigned Appeal No: 2003-2009.

A review of the file indicates that the following documents have been filed by appellant:

Appeal Brief filed on: November 12, 2002

Reply Brief filed on: April 11, 2003

Request for Hearing filed on: None

In all future communications regarding this appeal, please include both the application number and the appeal number.

The mailing address for the Board is:

**BOARD OF PATENT APPEALS AND INTERFERENCES  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VIRGINIA 22313-1450**

The facsimile number of the Board is 703-308-7952. Because of the heightened security in the Washington D.C. area, facsimile communications are recommended. Telephone inquiries can be made by calling 703-308-9797 and should be directed to a Program and Resource Administrator.

By order of the Board of Patent Appeals and Interferences

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

AUG 20 2003

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

Ex parte JAMES R. EVANS,  
JAMES W. FINNKOWSKI and GENE A. RUSSEL

Application No. 09/241,508

COMMUNICATION

An ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER was mailed June 20, 2003 (Paper No. 30), which requested that the examiner charge the \$320 Appeal Brief fee to appellants' Deposit Account. It is noted that the Appeal Brief fee has now been charged to appellants' Deposit Account. Accordingly, an appeal number will be assigned and the case given to a merits panel in due course for consideration and decision on the written record.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:

DALE SHAW

Program and Resource Administrator  
(703) 308-9797

DS:psb

27  
Application 09/328,065

cc: Kagan Binder, PLLC  
Suite 200, Maple Island Building  
221 Main Street North  
Stillwater, MN 55082